

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2205

IN THE MATTER OF:

Served March 17, 1981

Suspension of Certificate No. 32)
and Investigation of BANNISTER)
ENTERPRISES, INC.)

Case No. MP-80-20

By Order No. 2181, served January 12, 1981, Bannister Enterprises, Inc., was directed to file certain documents with the Commission no later than February 11, 1981. Said order also suspended Bannister's Certificate No. 32 and provided

{t}hat unless all of the said documents are properly and timely filed, respondent is also directed to file, in writing and under oath, a formal answer to the matters under investigation herein, showing cause, if any there be, why its Certificate No. 32 should not be revoked for willful failure to comply with the requirements of the Compact and the regulations, orders and directives of the Commission and further petitioning for an oral hearing on this matter, should such hearing be desired, said petition, if any, to specifically show the necessity for an oral hearing and the evidence to be adduced by respondent thereat.

On February 13, 1981, Bannister filed a certificate from the D. C. Recorder of Deeds attesting that Bannister Enterprises, Inc., is authorized to transact business in the District of Columbia and an executed contract between Bannister Enterprises, Inc., and The John F. Kennedy Center for the Performing Arts. On February 17, 1981, Bannister tendered for filing certain other documents which either were already of record or which were not responsive to Order No. 2181.

Bannister is not in substantial compliance inasmuch as it has failed to file its WMATC Tariff No. 3, executed copies of vehicle

leases and evidence that all vehicles are appropriately insured. Moreover, no formal answer or petition for oral hearing was filed as mandated by the above-quoted paragraph. Accordingly, the Commission finds that Bannister Enterprises, Inc., has willfully failed to comply, upon reasonable notice, with a lawful order of the Commission commanding obedience to Title II, Article XII, Sections 5(a), 9(a) and 10(a) of the Compact and Commission Regulation Nos. 55, 62 and 69 promulgated thereunder.

THEREFORE, IT IS ORDERED:

1. That Certificate of Public Convenience and Necessity No. 32, last amended and reissued to Bannister Enterprises, Inc., on January 5, 1979, is hereby revoked, effective on the thirty-first day following service of this order.

2. That Bannister Enterprises, Inc., is hereby directed to cease and desist from engaging in such transportation of passengers between points in the Metropolitan District as is covered in Title II, Article XII, Section 1 of the Compact without first obtaining from the Commission appropriate authority therefor.

3. That Bannister Enterprises, Inc., is hereby directed to append to its application for reconsideration of this order, if any, the following documents: two copies of its WMATC Tariff No. 3 cancelling its WMATC Tariff No. 2, (b) three executed copies of each contract of lease in effect for vehicles leased by Bannister Enterprises, Inc., and (c) a certificate of insurance (if not already on file) covering each vehicle operated by Bannister Enterprises, Inc., whether owned or leased.

4. That Certificate No. 32 of Bannister Enterprises, Inc., continues suspended until the above-specified revocation date unless otherwise ordered by the Commission.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SCHIFTER AND SHANNON:



GREGORY PAUL BARTH
Acting Executive Director